

Message Text

CONFIDENTIAL

PAGE 01 NEW DE 05463 081114Z
ACTION OES-07

INFO OCT-01 ISO-00 NEA-10 SS-15 PM-05 L-03 INR-10
SP-02 SSO-00 INRE-00 IO-13 /066 W
-----058519 081123Z /20
O 080820Z APR 78
FM AMEMBASSY NEW DELHI
TO SECSTATE WASHDC IMMEDIATE 0778
AMCONSUL BOMBAY NIACT IMMEDIATE

C O N F I D E N T I A L NEW DELHI 5463

STADIS//////////

E.O. 11652: GDS
TAGS: TECH, ENRG, IN
SUBJECT: INDIAN NUCLEAR ASSURANCES

REF: STATE 90251

1. BEFORE APPROACHING GOI REGARDING ASSURANCES SOUGHT IN REF-TEL, I WONDER WHETHER IT IS NOT RAISING PREMATURELY FUNDAMENTAL ISSUES REGARDING THE POSSIBLE EFFECTS OF THE TERMINATION OF THE EXISTING INTERGOVERNMENTAL AGREEMENT.

2. AS ALREADY SUGGESTED, IN OUR VIEW THE CHANCES OF GETTING AT THIS TIME AN INDIAN RESPONSE THAT WOULD FULLY MEET THE REQUIREMENTS OF THE NRC ARE SMALL. SO LONG AS DESAI IS THE PM, WE CAN BE CONFIDENT THAT U.S. MATERIEL SUPPLIED TO TARAPUR WILL NOT BE USED FOR EXPLOSIVE PURPOSES. TARAPUR REACTORS WILL PROBABLY ALSO REMAIN UNDER IAEA SAFEGUARDS WHATEVER WE DO. THE QUESTION OF REPROCESSING THE USED TARAPUR FUEL, HOWEVER, IS A DIFFERENT MATTER. IF WE RAISE TERMINATION OF OUR EXISTING AGREEMENT TO SUPPLY TARAPUR NOW, THE GOI WILL BE UNDER VERY STRONG PRESSURES, BOTH FROM SOME OF INDIA'S NUCLEAR SCIENTISTS AND ORGANIZED PUBLIC OPINION, TO PROCEED WITH REPROCESSING. DESAI'S RESPONSE TO A PARLIAMENTARY QUESTION AS
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 NEW DE 05463 081114Z

REPORTED IN NEW DELHI 4620, INDICATES THAT HE BELIEVES THAT IF WE BREAK THE AGREEMENT, INDIA WILL BE FREE TO START REPROCESSING THE SPENT TARAPUR FUEL.

3. IN ADDITION, WERE WE TO RAISE THESE QUESTIONS AT THIS TIME - PARTICULARLY THE ASSURANCES SOUGHT ON CONTINUING SAFEGUARDS--, THE INDIANS WILL BE LIKELY TO QUESTION WHETHER WE

ARE NOT ASKING FOR THINGS THAT GO BEYOND THE TERMS OF THE EXISTING AGREEMENT AND SO CONSTITUTE A NEW REQUIREMENT. IF IT IS DECIDED THAT AN APPROACH IS NECESSARY AT THIS TIME, CAN OUR HAND BE STRENGTHENED BY AN OPINION OF THE LEGAL DIVISION ON THIS QUESTION?

4. MORE FUNDAMENTALLY, CAN'T THE NRC SEE HOW THE INDIANS ALMOST INEVITABLY WILL VIEW THIS KIND OF DEMAND? IT IS THE USA, NOT INDIA, WHO IS TALKING ABOUT ABROGATING A BINDING CONTRACT. IT IS THE USA, NOT INDIA, WHICH HAS DELAYED THE INITIATION OF THE RENEGOTIATIONS SO THAT CONTRACT CALLED FOR IN OUR NEA LEGISLATION. WHY, THEN, SHOULD INDIA BE EXPECTED TO BE BOUND BY ANY PART OF THE CONTRACT AFTER WE ABROGATE IT? IF THE ISSUE IS NOT ONE OF LEGAL OR MORAL OBLIGATION BUT OF A THREAT - NAMELY, NO MORE U.S. FUEL FOR TARAPUR - THE PM HAS ALREADY MADE EMPHATICALLY CLEAR THAT INDIA WILL NOT BE MOVED BY THREATS. THEY WILL DO WITHOUT TARAPUR ENERGY FOR A WHILE, HARD AS THAT WILL BE FOR BOMBAY'S INDUSTRIES AND PEOPLE. AND WHEN THAT HAPPENS, OUR ABILITY TO KEEP INDIA GENERALLY IN LINE WITH OUR NUCLEAR OBJECTIVES (E.G. NO RE-PROCESSING AND NO BOMB) WILL HAVE BEEN THOROUGHLY UNDERCUT.

5. I AWAIT FURTHER INSTRUCTIONS.
GOHEEN

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NUCLEAR AGREEMENTS, NEGOTIATIONS, NUCLEAR POWER PLANTS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 apr 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978NEWDE05463
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780152-0496
Format: TEL
From: NEW DELHI
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780478/aaaacnyy.tel
Line Count: 85
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: feb0aab3-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: CONFIDENTIAL
Original Handling Restrictions: STADIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: STADIS
Reference: 78 STATE 90251
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 13 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3030164
Secure: OPEN
Status: NATIVE
Subject: INDIAN NUCLEAR ASSURANCES
TAGS: TECH, ENRG, IN
To: STATE BOMBAY
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/feb0aab3-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014